

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:99CV268

STEVE E. ASHE, and wife DEBORAH)

ANN SCOTT ASHE, et al,)

)

This document pertains to:)

EDNA MAE FEWELL; SALLY R.)

FLETCHER, Individually and as)

Executrix of the Estate of Carroll D.)

Fletcher, Deceased; JAMES C.)

GOFORTH, and wife THELMA W.)

GOFORTH; RUFUS S. McCALL, and)

wife MARGARET PAULINE R.)

McCALL; WILLIAM L. MOONEY, SR.,)

and wife BILLIE FARMER MOONEY;)

BRONITH SHOOK, as Administrator)

of the Estate of Vance Randall)

Shook, Deceased; and THOMAS J.)

WOODS, and wife ALICIA JEAN)

WOODS,)

)

Plaintiffs,)

)

Vs.)

)

A. W. CHESTERTON, INC.;)

CROWN CORK & SEAL COMPANY,)

INC.; METROPOLITAN LIFE)

INSURANCE CORPORATION;)

NATIONAL SERVICE INDUSTRIES,)

INC.; OWENS-ILLINOIS,)

INCORPORATED; RAPID AMERICAN)

CORPORATION; and CBS)

CORPORATION,)

Defendants.)

)

ORDER OF DISMISSAL

THIS MATTER is before the Court on the parties' joint motion to dismiss the captioned Plaintiffs' claims as to the Defendant Owens-Illinois, Inc.

For cause shown and it appearing these parties have agreed to settle the issues in controversy among them,

IT IS, THEREFORE, ORDERED that the joint motion to dismiss is **ALLOWED**, and the claims of Plaintiffs Rufus S. McCall, and wife Margaret Pauline R. McCall; William L. Mooney, Sr., and wife Billie Farmer Mooney; and Bronith Shook, as Administrator of the Estate of Vance Randall Shook, Deceased, against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that the claims of Plaintiffs Edna Mae Fewell; Sally R. Fletcher, Individually and as Executrix of the Estate of Carroll D. Fletcher, Deceased; James C. Goforth, and wife Thelma W. Goforth; and Thomas J. Woods, and wife Alicia Jean Woods, against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITHOUT**

PREJUDICE, and this action may be terminated as to Defendant Owens-Illinois, Inc.

Signed: November 1, 2007



Lacy H. Thornburg
United States District Judge

